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Advances in liaison based public order policing in England: human rights and negotiating the management of protest?

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Abstract.

This paper provides further analysis of an emerging 'liaison' based approach to the policing of public order in England and Wales (Gorringer et al, 2012). Data is gathered from a range of sources including direct observation of a series of six protest events across two cities in England between May and November 2012. The research was conducted using principles of 'participant observation' within an 'action research' framework (Lewin, 1958). The qualitative analysis suggests that liaison based approaches are effective where they enhance police capacity for problem solving, conflict reduction, limit setting and mediating during protest events. It asserted that liaison based tactics can be undermined, however, through poor understanding of the approach among police commanders and inadequate sensitivity to interactions between police tactics, protest identities, ideology and history. The implications of the data for understanding wider debates concerning iterative processes between 'transgressive' protest and shifts toward strategic facilitation are discussed (Gillham, 2011).

Introduction.

This paper has two central aims. The first is to provide an analysis of processes governing the outcomes of a new 'liaison' based approach to the policing of public order in England and Wales (Gorringer et al, 2011, 2012). The second is to reflect upon the relevance of 'liaison based public order policing' to wider debates in the academic literature about shifts toward 'strategic incapacitation' (Gillham, 2011; Gillham et al, 2012).

Sociological understanding of approaches to protest management.

Contemporary sociological theory suggests three separate and distinct approaches to the policing of protest. First, during the 1960 and 70's police in the USA are understood to have relied upon 'escalated force'. Even a cursory glance at the policing of the US civil rights marches of the 1960's captures the essence of this method (Stott, Drury & Reicher, 2012) which revolved around "the use of arrest, beatings, tear gas, bullets and other weapons meant to quell protests by inflicting pain and suffering" (Gillham et al, 2012; p.2). With its inherent injustices the approach became increasingly unsustainable within a democratic context and it is widely understood to have been gradually superseded by a second, referred to as 'negotiated management' (McPhail et al, 1998; McCarthy and McPhail, 1998). The latter showing greater respect for 'first amendment rights', greater tolerance for disruption to the community, higher levels of communication and therefore less reliance on arrests and the use of force.

Underpinning this shift toward negotiated management was a legislative framework that required protests to be officially 'permitted' (McCarthy and McPhail, 1998). Gillham et al (2011) argues that this introduced a level of 'control' for the police since it forced protest organisers to meet with them beforehand to set out and agree the parameters of protest. Such meetings reassured police since they facilitated the collection of information and opened up routes of communication that helped reduce the likelihood of conflict. It is understood that the method also fitted well with the "newly professionalized

social movement organisations” which Gillham (2011; p.638) argues, “wanted to direct attention away from police confrontations” toward the issues around which they were actually protesting.

Gillham’s analysis, however, sets out the case for a further paradigm shift, to the predominance of a third approach referred to as ‘strategic incapacitation’ defined as the excessive controlling of space to isolate and contain potentially disruptive protest, the use of pre-emptive arrest, surveillance and information sharing (Gillham, 2011; p637). It is argued that this shift was partly driven by the emergence of ‘transgressive’ protest movements in the late 1990s, who were unwilling through ideology and unable through leadership structure to engage in the formal ‘permit’ setting process (Gillham et al, 2012). The lack of formal engagement, combined with the intention of these groups to disrupt through direct action, was ill suited to negotiated management, culminating consequently in the ‘Battle of Seattle’ (Gillham & Marx, 2000). The shift toward ‘strategic incapacitation’ took place as a means of ‘neutralising’ the risks to police contained within this form of protest (Gainer, 2001; Kaufman, 2002; Noakes et al, 2005; cited in Gillham, 2011).

Sociological theory therefore proposes a macro social and historical *interaction* between the tactics of protest movements and policing, whereby over time – in this case years - general patterns of protest policing emerge across nation states. Additionally, it is suggested that transgressive protests are linked to a shift away from negotiated management toward a pattern of strategic incapacitation, at least in the USA. As Gillham et al (2012) point out this “iterative and interactive process... should be the focus of subsequent research”(p.18). It is further suggested that elements of strategic incapacitation are evident in studies of the policing of protest in nations such as Sweden (Wahlstrom, 2010) and Scotland (Gorringe et al, 2011) and that “further research is needed to determine the extent to which strategic incapacitation tactics have diffused to other democratic nations” (p.19). This paper aims to contribute such research.

Liaison Based Public Order Policing and Human Rights.

In contrast to the apparent shift toward 'strategic incapacitation' in the USA the situation in Western Europe is arguably more nuanced. Waddington (2007; p.138) argues that the dominant PO policing approach is a function of a range of variables. Prevalent among these are the philosophical basis of policing and the lessons learnt from previous events (p.138). Of particular importance in this respect have been the scrutiny surrounding the 2001 Gothenburg summit in Sweden (Peterson and Oskarsson, 2006) and the 2009 G20 summit in London (HMIC, 2009a, b).

In both cases inquiries have set in motion policy reforms that are tied to philosophies of democratic policing, oriented toward the maintenance of human rights and based upon dialogue and the proportionate use of force (HMIC, 2009b; SOU, 2002). In other words, the 'lessons learnt' have about the fundamental importance of negotiated management to democratic policing. These reforms are gradually leading to the development of an approach that Gorringer et al (2011) refer to as 'strategic facilitation' (p.129), through a capacity that we wish to term 'liaison based public order policing'.

In part, these reforms are fundamentally European because they are underpinned by the European Convention of Human Rights (ECHR) alongside the piecemeal adoption of legislation within nation states that requires police to act in a manner that is compliant with it. For example, the Human Rights Act (1998) in the UK creates a legal obligation for the police not to inhibit and to positively facilitate the rights of freedom of expression, consciousness and assembly that are protected under Articles 9, 10 and 11 of the ECHR. Whilst interference with these rights can and does occur, it can only be undertaken lawfully if clear and stringent criteria are met. Moreover, in order to be lawful, the use of force or surveillance by the police has to be proportionate and comply with Article 8 of the ECHR (Stott & Gorringer, 2012).

Additionally, these reforms have utilised the Elaborated Social Identity Model of crowd behaviour (ESIM) as the basis for understanding the social psychological basis of collective action within crowd events. This theoretical model helps explain the complex relationship between police tactics and the escalations of conflicts observed during crowd events (Gillham and Marx, 2000; Stott and Drury, 2000; Reicher, 1996) but also assists in defining the principles, strategies and tactics police can adopt to avoid such major escalations (Reicher et al, 2004, 2007; Stott, 2011; Stott et al, 2007, 2008).

Liaison based public order policing was initially developed in Stockholm where a unit of 'dialogue police' was created as part of a wider set of public order police reforms, referred to as the Special Police Tactic (SPT), following the major riots in Gothenburg in 2001 (Holgersson & Knutsson, 2011; Stott, 2011). But more recently, similar units of police liaison officers (PLTs) have also been developed and deployed within the UK (Gorringe et al, 2012; Waddington, 2012). These liaison officers add a low level problem-solving capability to a public order policing operation and mediate in situations of emergent tension. To achieve this they wear a distinct uniform (in the case of PLTs a light blue tabard with 'Liaison Officer' written on it) and adopt a 'non-repressive' approach before, during and after crowd events to establish relationships of trust with protesters. In turn, these relationships, and the contextualised knowledge that flows from them, helps to improve police decision making during crowd events, often correcting inaccurate assumptions and pre-conceptions about emerging risks, mitigating police tendency to use force to arrest, disperse or contain a crowd as a whole (Gorringe et al, 2012; Stott, 2011).

Despite the fact that liaison based public order policing is intended to avoid the use of indiscriminate force, enhance human rights and facilitate democratic forms of protest, Wahlstrom (2007) is critical of the approach. He notes the tension between instrumental police objectives and the rhetoric of dialogue. Echoing Waddington's (1994) scepticism about negotiated management, Wahlstrom is unsure whether dialogue policing will result in 'genuinely more

democratic forms of protest policing, or merely lead to nothing but more subtle forms of coercion' (2007; p. 400). Wahlstrom (2007; p.397) also argues that many 'public order commanders' distrust the tactic and resent having to engage with protesters whom have no desire to reciprocate, especially as the results of dialogue are not always immediately apparent.

Whilst these are valid criticisms, the available research does suggest that liaison-based public order policing is successful at preventing conflict and therefore undermining shifts toward tactics associated with strategic incapacitation and escalated force (Gorringer et al, 2011, 2012; Waddington, 2012). Despite the growing importance of these developments in protest policing in Western Europe – both for theory and practice – empirical research of crowd events involving PLTs remains somewhat limited. The available evidence from the UK is focused on only two events and only one of these where the new PLT approach was deployed. As such there is no systematic analysis of how the approach might apply to other events. This study therefore has the parallel aim of addressing this limitation in research by undertaking an analysis of PLT deployments in two cities in England between May and November 2012.

Method.

Following their direct involvement in policy reforms (Stott, 2009; ACPO, 2010; HMIC, 2009b) the authors collaborated to develop the first PLT, which then served as the model for the subsequent development of 'liaison officers' across England and Wales. As a consequence the Metropolitan Police Service (MPS) invited the first and second authors to act as advisors to their public order unit for the initiation of MPS PLT capability, which became operational in April 2012. In parallel the authors were employed by Sussex Police to advise on the development of and to train a PLT that became operational in June 2012.

The general approach to data gathering for this study is therefore based upon principles of 'participant observation' within an 'action research' framework

(Drury and Stott, 2001; French and Bell, 1973; Johnson, 1976; Lewin, 1958). Their advisory role involved undertaking observations of a series of six protests involving PLT deployment during which data was gathered. Observations with the MPS included: 1) a protest by 'Occupy' on Tuesday 15th May 2012; 2) a protest by 'UKUncut' on Saturday 26th May 2012; 3) a protest by the Trades Union Council on the 20th October 2012; 4) a demonstration by United Friends and Families Campaign on 27th October 2012. Observations with Sussex Police included: 1) UKUncut's 'street party' on Friday 1st June 2012 and, 2) a 'Smash EDO' demonstration march on Monday the 4th June 2012.

This study draws data from participation concerning the processes underpinning the development and deployment of PLTs in these two force areas up to and including the above events. During each of the events the authors attended relevant briefings for both the PLT and other 'public order' resources. Where possible, commanders and PLTs were interviewed. To avoid a 'police-centric' analysis and to assess the efficacy of police tactics the authors also attended the demonstrations taking photographs, making observations and conducting contemporaneous interviews with police, protestors and other members of the public about the situations confronting them and their responses to it. No data was recorded on the number of individuals spoken to or their demographic characteristics. All data were recorded as field notes and are entirely qualitative.

During the research period the MPS utilised PLTs between 50-60 occasions, including demonstrations surrounding the Olympics. Sussex Police also utilised their liaison officers on a number of demonstrations above and beyond those formally included in the observational data. Throughout the research period, therefore, a number of opportunities emerged to gain feedback from PLTs through formal and informal channels. In particular, the first author was invited to attend an MPS formal debrief for PLTs involved in the majority of PLT deployments which took place at force Headquarters on 12th September 2012. This data is also included in the analysis.

Consequently, the analysis is broken into two major sections. The first draws upon the data gathered through observation. The data from each event was collated and then considered thematically. Each of the six events was then compared to each other and the themes were shaped and reshaped until they provided 'best fit' to the data as a whole. The themes that emerged are organised into the analytic framework presented below. For reasons of brevity, single examples are used to convey the processes evident in the general data corpus and this section of the analysis is therefore sub-headed by thematic category. The second major section draws upon data gathered informally and formally from the PLTs during debriefs. Here their comments were explored for the extent to which the experiences of PLTs across the wider array of events help reflect upon the thematic categories identified by the authors in the observational data. In this section utterances are presented to reflect the comments as they were written in field notes taken by the first author. Taken together, these data sources offer an insight into both the operational logic underpinning the deployment of PLTs, and their impact on the ground.

Analysis

Problem solving, conflict reduction, limit setting and mediating.

On Tuesday 15th May the 'Occupy' movement organised a protest against the British Bankers Association (BAA) in central London¹. The 'Occupy' movement at this time presented problems for police internationally because of their tactics of civil disobedience, usually involving occupying public and private space for long periods of time². The preceding Saturday another Occupy demonstration had developed into a large-scale containment, followed by significant confrontations between protestors and City of London police, along

¹ The expressed intention of protestors was to assemble at Russell Square and process to the British Bankers Association Headquarters (BBA) in Old Broad Street within the City of London, some two miles away.

² The most publicised incident of which in the U.K. was the camp outside of St Paul's Cathedral that took place between October 2011 and February 2012. Whilst bailiffs cleared the St Paul's camp on the 28th of February 2012, the 'Occupy' movement was still popular and a second camp was still on going in nearby Finsbury Square.

with at least eleven arrests and accusations by protestors of heavy handed and illegitimate policing³. This previous demonstration did not deploy PLTs and was not included in the data corpus but is included here as the event provided a context for both demonstrators and police.

The MPS Silver⁴ commander responsible for the demonstration on the 15th was determined to avoid scenes of similar confrontation and saw the (then experimental) PLTs as a tool for achieving his strategic goal of facilitating the protest. Nonetheless, given the recent context, a considerable number of public order resources were mobilised to support the operation⁵. Tactical deployment began on the evening before the protest, where Silver tasked the PLT to go to the 'Occupy' camp at Finsbury Square. Their brief was to deliberately and explicitly begin the tricky process of establishing contact with protestors, communicating with them about the facilitatory role of the PLT, providing a channel of liaison and dialogue and begin developing trust. This 'relationship building' deployment in advance of a protest event represents one of the key distinguishing features of a liaison based approach.

On the day of the demonstration the same PLTs were deployed into Russell Square as the protest was assembling. Around 250 protestors arrived and marched off in the direction of the City. The Bronze⁶ Commander responsible for the march took the decision not to deploy the considerable PSU⁷ resources at his disposal, but to allow his PLTs to be the primary tactic from the outset. There were no official protest 'organisers' and an agreement had not been reached with the MPS about the route of the protest and throughout the

³ <http://www.bbc.co.uk/news/uk-england-london-18049010>

⁴ Silver is the term used for the commander with overall tactical command for the public order operation.

⁵ The situation was complicated because whilst the protest would begin under MPS jurisdiction it would culminate with a rally under the jurisdiction of the City of London Police.

⁶ Bronze is the term used to refer to the senior operational commander with responsibility for a specific role or geographical sector.

⁷ A Police Support Unit (PSU) is a formation of 18 constables, 3 sergeants an inspector and three vans – each with drivers. It is the standard unit for resourcing public order operations in England and Wales.

demonstrators walked along roadways, which itself required a dynamic surrounding traffic and public order operation. Traffic police on motorcycles stayed just ahead and to the rear ensuring that where necessary traffic was stopped and redirected.

Rather than containing the march within an escort, the available PSU resources would 'leapfrog' it, parking in side streets just ahead and to the side. At the same time PLTs walked 'within' the demonstration chatting amiably to individual protestors, building relationships and explaining their role⁸. The second hallmark of PLTs is played out here; the deliberate placing of these distinctly uniformed officers 'within' the crowd. This visibly signals police rejection of outmoded theories of the madding and inherently dangerous crowd, and also facilitates a more realistic and dynamic assessment of protestors' intentions, demeanour and behaviour.

One of the aims of the protest was to engage in non-violent 'direct action' against banks to 'disrupt' their business and highlight the role of these organisations in the economic crisis. As the march moved into the City demonstrators would periodically surround a bank along the route and try to occupy the customer reception area or place bright yellow tape with the word 'OCCUPY' over the entrances, place stickers on windows (and other objects) and chalk slogans onto pathways and other surfaces outside. From a police perspective, whilst the protestors do have the right of freedom of assembly they do not have this right on private property and the use of the tape, stickers and graffiti can constitute the offence of criminal damage. Consequently, each time the protestors tried to enter a bank a PSU rapidly deployed a cordon across the entrance and there would be a 'stand off' outside where the potential for an arrest to occur or for conflict to develop was relatively high.

⁸ Forward Intelligence Teams were also deployed but remained some distance away.

As a consequence of these spontaneous 'direct actions', the large number of PSUs in the vicinity constantly 'self-deployed' in order to assist. Some of these PSUs were under the control of different commanders and even a different police force. Recognising a complexity the Bronze Commander was essentially faced with a dilemma. On the one hand, given the 'disruption' to traffic, obvious attempts to trespass and 'criminal damage', he was now in a position where he could lawfully deploy these resources to contain or 'kettle' the protest. However, in line with the overarching strategy and recognising the potential for a containment to create and then escalate conflict he chose instead to accept the minor issues being created by the direct actions and retain his PLTs as the primary tactic. Unlike the controlled spaces of 'strategic incapacitation', it was evident that liaison based approaches involved tolerating 'disruption'.

On these occasions, whilst leaving his cordons at the entrances in place, he instructed the additional PSUs to go back to their vehicles and remain out of sight. He then used his PLTs to negotiate with protestors in order to communicate his desire to continue to facilitate them on the understanding that they would make their peaceful protest only for a short while and then continue en route. As such after a short protest outside a chosen bank those in the crowd would move off until another suitable target was identified and, in contrast to the previous Saturday, no containment or arrests took place⁹.

Thus, by the time the demonstration reached Old Broad Street many – but not all - of the protestors appeared to welcome the presence of the PLTs and some engaged positively in communication with them. For example, an emergent categorisation appeared in protestors' utterances where they would distinguish between the 'blue' and the 'yellow' coated police. When interviewed some expressed how the friendly demeanour of the blue-jacketed PLTs was after all a

⁹ Although one arrest was made at a later stage

welcome contrast to their fears of containment and experiences of more hostile 'yellow jacket' policing at previous events.

Having established a 'legitimate' place within the demonstration the PLTs were in a position to solve other emergent problems, in ways that further prevented arrests and potential escalations. On arrival at the BAA, the protestors surrounded the entrance which itself was cordoned off by a PSU. Almost immediately one of the protestors, who had his faced covered, began to place tape across the entrance¹⁰ and was about to extend it across the police officers forming the cordon, effectively taping them onto the wall. Recognising the potential for escalation a PLT officer approached the individual and, while not threatening to arrest, explained that should he continue one of the PSU officers in the cordon would almost certainly arrest him. The individual immediately challenged the PLT officer about the legitimacy of any potential arrest and questioned dismissively "under what law"? The PLT officer then explained calmly that such action would constitute "obstructing a police officer". For a few seconds the individual considered his options, stopped unfurling the tape and moved away. What was interesting here is how the PLT differentiated itself from those officers who would potentially make an arrest and acted more as a mediator between police and protestors and in so doing applied police tolerance limits to the emergent specifics of 'direct action' protest. The vignette captures the centrality of legitimacy to the effective functioning of PLTs and the necessity of them having clearly demarcated roles.

Protester identity, ideology & history.

A salient issue in managing protest lies in police ability to predict what is likely to happen. Thus, where uncertainty existed it was always a priority for commanders to reduce it by gathering information on protestors underlying intentions. As Earl and Soule (2006) argue, what police commanders fear most is a loss of control. Where there was an identified protest 'organiser' and a

¹⁰ As a preemptive measure the front entrance to the BAA had been closed and a side entrance was in use.

structural hierarchy within the protest groups this was less of an issue; an identified point of contact generating information about underlying intentions increased police confidence that the protesters were not seeking to act illegally and that the police would be able to respond appropriately.

Direct action protest groups like 'Occupy' do not have explicit hierarchies of leadership, formal membership or organisation. Instead, such groups tend toward a culture of loose affiliation and 'consensus' decision-making. These groups are also by nature 'transgressive', and are naturally reticent to communicate with police about their intentions. Some groups are ideologically opposed to the police or are simply deeply mistrustful of them due to prior negative experiences and therefore will not engage easily, if at all, in open communication with police (Gillham, 2012; Gorringer et al, 2011; Vestergren, 2011). As a consequence of this background context some deployments of PLTs led to negative reactions.

Following a consultancy with the first author Sussex Police took the decision to develop a PLT just two weeks before a forthcoming series of highly challenging demonstrations within the city. Given the time pressures involved these officers became operational prior to receiving formal training. Their first task was making contact with individuals they judged were likely to be involved in the 'organisation' of the forthcoming protests. Whilst positive relationships were established with at least one activist, two liaison officers – not wearing uniforms – visited the home of another. This activist was disturbed by the visit and reacted to it as police intimidation. Rather than recognising the distress the visit was causing the officer challenged the activist asserting that she was a 'member' of the organisation and was a 'leader' within it. The handling of the visit by the officer combined with the fact that he drew his baton during the subsequent protest eroded trust and led to a national newspaper online video

article claiming that PLTs are an insidious and illegitimate form of police surveillance designed to criminalise peaceful protest¹¹.

One of the central features of the liaison role is to identify ‘influential’ people in crowds in order to work with them in the interests of promoting ‘self-regulation’ and therefore peaceful protest. However, it became apparent that liaison officers and public order commanders sometimes misunderstood how social influence processes work among the cultures of some protest communities. On Saturday 26th May, ‘UKUncut’ – another ‘transgressive’ direct action protest group – organised a ‘national day of action’ around the idea of a non-violent street party¹². In London this materialised as four separate ‘blocs’ meeting in different locations¹³. While the MPS were aware that the different blocs would at some point coalesce they were unaware where this would take place and were concerned about the underlying potential for problems. Protestors were reticent about communicating with police, partly exacerbated through fear that they would be ‘kettled’ and as a direct consequence of a lack of trust that developed following the mass arrest of protestors by the MPS for aggravated trespass when UKUncut undertook an ‘occupation’ of ‘Fortnum and Masons’ in 2011¹⁴.

The PLTs, still an experimental unit at this stage, were utilised for the surrounding policing operation and were deployed initially to each of the protest sites where large groups had gathered. Within a short period of time each of the blocs moved toward and coalesced at Waterloo Station, where upwards of 1000 demonstrators packed onto an already crowded concourse. Here the liaison officers, who had also travelled to the station, were tasked by

¹¹ This perception was further reinforced by the fact that one of the liaison officers visiting the activist’s house was previously an intelligence officer who was well known to and widely distrusted by the activist community in Brighton.

¹² <http://www.guardian.co.uk/uk/video/2012/sep/04/police-liaison-officers-uk-uncut-video>

¹³ <http://www.ukuncut.org.uk/blog/uk-uncut-street-parties-target-architects-of-austerity>

¹⁴ There was a ‘Women’s’ block’ gathering at London Bridge; A ‘Welfare Block’ at Waterloo Station Concourse; ‘NHS Block’ Opposite University College Hospital, Euston Road; and a ‘Real Democracy’ Block in Parliament Square.

¹⁵ <http://www.guardian.co.uk/uk/2011/jul/18/fortnum-mason-uk-uncut-charges-dropped>

the Sector Bronze Commander to engage with protestors to “find out where they were going” which at this stage was the primary concern of the police operation. This tasking appeared to be counter-productive at two levels.

Because of the sophistication of UKUncut’s organisation, knowledge about their ultimate intention to target the home of the then Deputy Prime Minister was limited to a small number of individuals, present on each of the blocs. At opportune points these individuals would raise an umbrella, a different colour for each block, as a signal to reach a ‘consensus’ to move off. Consequently, it was highly unlikely that engagement with protestors by the PLTs asking questions about where they were going would produce any useful outcome. Secondly, engaging with protestors explicitly in these terms merely confirmed their suspicion that they were an intelligence-gathering tactic for the MPS to subsequently prevent protestors from achieving their goal of peaceful assembly (cf. Gorringer et al, 2011). This perception in turn undermined the PLTs’ ability to generate positive relationships of trust and confidence among protestors.

In contrast there was evidence of more successful outcomes where such sensitivities were taken into account and liaison officers adapted their tactical interventions. On Saturday 27th October 2012, for instance, the United Friends and Families Campaign held a protest in Whitehall. The march is an annual event protesting at deaths in custody. The previous year there had been confrontation when police tried to move the protestors who had sat down outside Downing Street after they had been unable to hand in a petition to anyone in authority. Through dialogue between the police commander and protest organiser certain compromises were agreed one of which was to police the event exclusively with liaison officers. Given the sensitivities the liaison officers were briefed not to go into the crowd but to operate on the periphery, which was well received by protesters, and the event passed without incident.

Iterative interaction between liaison & public order deployment.

Our data also suggests that this issue of the relationship between the actions of the liaison officers and perceived legitimacy was not just a matter of the history and ideology of the protest group or of the actions of liaison officers in isolation. Rather, there appeared to be a complex interaction between the deployment of liaison officers and other public order tactics. On Monday 4th June 2012 a direct action protest group known as “Smash EDO” held a march and rally from North Street in Brighton city centre to Hove Town Hall some two miles away. ‘Smash EDO’ demonstrations had become notorious among Sussex Police because their regular protests were particularly hard to manage and consistently culminated in ‘disorder’, conflict with the police and arrests. Given this history smash EDO demonstrations invariably led to the deployment of large numbers of public order resources to deal with the perceived threat. For this event, however, Sussex Police utilised their rapidly developed and experimental group of liaison officers, who had been deployed for the first time only two days previously at Brighton’s UKUncut ‘street party’.

Initially, the liaison officers deployed to the area of pavement in North Street outside Barclays Bank, where the demonstrators were scheduled to assemble. At first, the number assembling was low and the liaison officers were able to establish their presence on the assembly site and talk with demonstrators who appeared to respond positively, although somewhat reticently. However, after the arrival of more protestors¹⁵, including the activist whose home the PLT had visited, the liaison officers began to experience tensions. It was apparent that these were driven by a concern among protestors that the liaison officers were actually ingratiating themselves in order to ‘enter’ the crowd and insidiously gather ‘intelligence’ that would subsequently be used to criminalise the

¹⁵ These included a group of ‘anarchists’, ‘legal observers’ and a representative of an organisation referred to as ‘FIT watch’. It was also the case that a freelance video journalist was present obtaining footage for the subsequent webcast article accusing the PLTs of being an insidious police tactic for gathering criminal ‘intelligence’.

protestors. Reiterating the historical dimension to perceptions of PLT activity, trust, it was clear, was not a given and had to be continually gained and consolidated.

The public order tactical commander for the march had anticipated that he would use PSUs to create a 'box escort'¹⁶ toward the town hall to contain the protestors and prevent any potential for them to occupy shops or otherwise break away from the expected route¹⁷. However, despite the hostility his officers were experiencing, the PLT Commander judged that there was no immediate threat to public order and negotiated with the public order commander to adapt his tactical plan to allow the liaison officers to retain tactical primacy. Given the history of these protests and the experimental status of the PLT, the public order Bronze conceded only to remove the front of the escort, but to contain the march with PSUs and mounted officers to the sides and rear.

For the public order tactical commander this relatively minor change in tactics was as a major concession since it went against the tactical orthodoxy and undermined his ability to control the protest, which therefore opened up considerable risks, should things go wrong. In line with our observations at other events, however, the tactical response by the PSUs appeared to have a negative impact on the ability of the PLTs to work effectively in two respects. First, their presence became essentially superfluous since the protest was now being policed by the PSUs who were defining the 'boundaries' of the demonstration. Second, the protestors saw the liaison officers as police spies, and so saw their very presence 'within' the demonstration as illegitimate. As a consequence many spent the entire time harassing the PLTs in an attempt to drive them away. This in turn was extremely demoralising for the liaison officers and inhibited them from achieving constructive outcomes.

¹⁶ This term is used to describe the tactic of containing the march within mobile cordons of PSU officers.

¹⁷ There was no official organizer and the route had not been agreed. However, Smash EDO had written to a local paper indicating their intentions.

Having concluded our analysis of the observations we now turn to data gathered from the PLT debriefs in order to explore how the PLTs' wider experiences help clarify and expand upon the themes identified above.

PLT accounts of their experiences: "the culture needs to change".

The PLTs began their involvement on some events at the planning stages. They described being sceptical about the willingness of protestors to engage and "pleasantly surprised" by the relatively large number of people that were "actively pleased that they had a point of contact". By September 2012 the PLTs within the MPS alone had established contacts within approximately seventy protest organizations, some of whom had previously "been resistant to police contact".

The PLTs felt that they had a "hugely positive response from organisers" and "members of the crowd". This "understanding and level of trust" with protest organisers allowed the PLT to provide "reassurances and fairly accurate assessments of how the demonstration would look and feel and this helped in the decisions made about resourcing" the policing operation. At times their relationship building allowed them to reassure commanders that there was unlikely to be a threat when intelligence reports were suggesting that there could be. The ability to allay commanders' concerns meant that the PLTs had a direct and positive impact on "financial and opportunity costs".

Some of the groups they came into contact with were not "experienced protesters" but, in the case of the MPS, single-issue local community groups aggrieved by the imposition of the Olympics upon their neighbourhood. The PLTs described how these protesters "were quite surprised by the amount of [police] resources that came down" when they were having their protest. Over time the PLTs became their point of contact to MPS "saying look we are having our 'don't close our footpath barbecue' tomorrow could you let them know so they don't send [the TSG] down". In other words contact with the PLTs enabled

situations to emerge where the police were able to avoid what would otherwise have been disproportionate deployments.

PLTs described how they felt that they had “managed to reduce tensions on a number of demonstrations”. In particular, the PLTs argued that where they were the primary tactic on demonstrations they felt they were able to police “from within” with all the other resources “on the outside” which allowed PLTs to “know the mood” of the crowd and encouraged ‘self-regulation’. The PLTs asserted that their activity “really helped to reduce tensions” because in part they were able to deliver more accurate risk assessments to the public order commanders and manage protestors perceptions and behaviours through the positive relationships they developed.

Sometimes these ‘problem solving’ contributions were described as “about basic communication”. For example, the PLTs described how they would communicate with the Public Order Bronzes to get an understanding of their tactical plan then simply set about communicating this to people involved in the demonstration. They describe how on occasions no consideration had been given to such forms of basic communication prior to their involvement. To illustrate one PLT described a demonstration where there were “some disabled people who had occupied” the reception area of a high profile building. Public order resources had been deployed and a cordon was in place outside. The PLT requested permission from the Bronze Commander to go inside and approached the protestors. They recounted how the protestors told them that “no one has spoken to us, no one has asked us how long we are going to stay and nobody has even asked us to leave”. The PLTs went on to describe how the situation was then subsequently easily resolved through negotiation and dialogue. So, at some level, having units specifically delegated to create communication was resolving problems that were “so simple really”.

Indeed, the PLT described problems that related not so much to their relationships with protesters but to their role as police officers within the

organisation. They describe tensions emerging within the planning process and when they were deployed during events, with public order commanders having no clear conceptual understanding of how to utilize them as a resource or to deploy them tactically. They described how “some of the Bronze commanders just want to use us as communication teams and no more”. They felt that this lack of understanding undermined their capacity to deliver effective outcomes because they were either tasked inappropriately or public order resources simply took over making it impossible for them to work.

They describe how important their role in negotiating with public order commanders was with respect to giving the PLTs the time and opportunity to resolve incidents and deliver results. One PLT officer described how “I thought when I did this role that managing the crowd would be the challenging thing, it wasn’t. Managing the police was the challenging most difficult bit”. They also experienced issues related to their perceived integrity among other officers, perceptions they described as linked to their relationship to the use force where “we have to withdraw otherwise we lose our credibility among those we are liaising with”. However, such ‘backing away’ from conflict then resulted in other police reacting negatively to the PLT as fundamentally compromising their role as police officers. “The problem is that public order policing is gladiatorial” and basically this “culture needs to change”.

Conclusions.

This study set out with two central aims; the first to add to the literature on the deployment of liaison or dialogue teams during protest events. In particular, we sought to explore the extent to which the use of liaison officers in our study mirrored or diverged from the outcomes and underlying processes observed elsewhere (Holgersson & Knutsson, 2011; Gorringer et al, 2011, 2012; Waddington, 2012). The second is to reflect upon the relevance of our data and analysis to wider debates in the academic literature about shifts toward ‘strategic incapacitation’ (Gillham, 2011; 2012).

Our analysis suggests that the interactions between police and protestors displayed a general pattern similar to those observed in previous studies. The liaison officers appeared to play an effective role in reducing the potential for conflict during events by opening up dialogue between police and protestors. Their ability to operate 'within' crowds without creating tensions appears to have increased police capacity to mediate and manage the emergent 'problems' they were confronted with, particularly when those protests involved 'direct action' groups.

As with previous work, our data suggests that PLT 'legitimacy' – and hence their ability to work effectively – was not pre-given, particularly in the context of historical and entrenched intergroup hostility and mistrust. Rather, perceptions of legitimacy had to be actively constructed and vociferously maintained. Central to this process appeared to be the liaison officers' understanding of the protest groups' history, culture and identity. Where this was not adequately understood and liaison officers sought simply to assert their presence 'within' crowds or were tasked to determine a 'transgressive' protest group's underlying 'intentions' this undermined their capacity to build trust and confidence. Adding weight to this argument, it was also evident that where these sensitivities were understood and liaison officers adapted their approach accordingly, this appeared to feed positively into protestors' experience of the liaison officers and their role, opening up opportunities for dialogue and communication that had previously been denied.

It was therefore not the case that their liaison officers' role was best served by a rigid tactic of going 'into' a demonstration crowd. In some cases this was clearly counter-productive and on others their role was further complicated by the simultaneous deployment of other public order tactics. Public order commanders would often not understand the role and function of liaison officers or not be willing to take 'risks' with 'transgressive' groups. This is understandable given that *not* deploying public order resources – such as PSUs,

FITs & EGTs¹⁸ - in situations of 'risk' goes against the current orthodoxy. However, these other tactical deployments appeared to undermine the capacity of the liaison officers to function. In other words, liaison does not occur in isolation; other tactics produce complex iterative processes with the dynamics of crowds that affect the perceptions of PLT legitimacy and ultimately their effectiveness.

Another important feature of the data was the perception of liaison officers as 'intelligence gatherers', particularly among transgressive groups. The development of liaison officers has not occurred in a historical vacuum. In the late 1990's the Metropolitan Police began to recognise the utility of using football 'spotters' in protest events involving right wing political groups. This tactic was subsequently formalised into the Forward Intelligence Officer role. The FITs work within and across events to undermine the anonymity of those protestors that are perceived as likely to become involved in criminality. Over the past decade these units have become widely discredited among some protest groups who see them as violating rights of privacy – protected under Article 8 of the ECHR – and for criminalising peaceful protestors (see HMIC, 2009b; p. 126-134). Our data highlights the importance of this history and the central importance of creating transparent operational and structural divisions between PLTs and the criminal intelligence resources applied by the police to protests.

We must, of course, address some of the limitations of this research. In particular, our data were gathered during activities the primary purpose of which were to actually produce successful PLTs; teams the first and second authors were instrumental in creating. It is self-evident therefore that there is an active interest in promoting a story of their effectiveness. Despite this obvious tension we have made every effort in our analysis to remain objective and impartial. Indeed, we would argue that our focus has primarily been

¹⁸ Forward Intelligence Teams (FITs) and Evidence Gathering Teams (EGTs) are overt police

analytical, focusing on the 'negative' aspects of PLT deployment in order to draw out key lessons for progressive development. This is particularly the case where we have reflected upon deployments by Sussex Police, relative to those under MPS jurisdiction (although the themes both 'positive' and 'negative' were equally evident in both jurisdictions). However, despite the 'teething' problems the PLT in Sussex equally displayed good practices and outcomes that have had a dramatic and positive impact on the policing of protest in Sussex in line with our arguments concerning their effectiveness. Firstly, groups who had never previously communicated with police now do so on a regular basis. Second, the Force has seen a rapid decrease in the requirement to use PSUs in the policing of protest events. Third, the Force is experiencing a dramatic decline in damage to property, 'disorder' and arrests during previously very challenging protest events (beyond the scope of this study). Finally, the Force has decided to divert resources away from training additional PSUs and divert them into the training and development of further PLTs to support its now full time PLT unit. Similar 'successes' have been experienced in the MPS who now also have decided to 'mainstream' PLTs across the Force and who have established a full time unit.

Nonetheless, whilst we have made every effort to remain impartial and to treat our data objectively we are constrained by its qualitative nature. Whilst our approach offers a rich source of analysis about potential underlying processes we must be cautious, particularly regarding outcomes. In this respect, future research needs to be developed utilising quantification to measure if PLTs (and other forms of liaison) do actually have the effects we suggest are occurring (e.g. conflict reduction) and if these outcomes are mediated by the proposed underlying processes. On this basis the future dominance of any specific approach to public order policing – here or elsewhere – can then have the solid evidence basis it so clearly requires (Hoggett & Stott, 2012).

surveillance also deployed during protests.

Taking the important limitations into account, the second aim of the paper was to contribute to wider debates in the academic literature about shifts toward 'strategic incapacitation' (Gillham, 2011, Gillham et al, 2012). Our data do suggest that the approach being adopted in the events we observed is closer to a 'negotiated management' style of protest policing. The operations were policed from a perspective of facilitating rights, showed high levels of tolerance of disruption to the wider community, had low levels of arrest, almost no use of force and were, by definition, based upon dialogue. From our data, it would be difficult to assert a creeping shift toward strategic incapacitation in the UK, even when police are faced with 'transgressive' protests¹⁹ (c.f. Gillham, 2012). Indeed, with the growth and spread of liaison officers and liaison based public order policing, our data begin to highlight how an active reassertion of negotiated management can be achieved.

It is important to clarify, however, that we are discussing general historical and sociological trends and what might be the case in our limited sample of events may not be reflective of the general pattern elsewhere. Indeed, it is the case that since the English 'riots' of 2011 (Reicher & Stott, 2011) there has been a push toward equipping and training more officers in the use of Accelerated Energy Projectiles (AEPs). The Government has also undertaken formal consultation on providing police powers to impose curfews (Stott et al, 2012) and police nationally have focused upon increasing the speed and effectiveness of their mass mobilisation capability. It is equally relevant to draw attention to the fact that tactics of surveillance, information sharing and the control of space were all features of the events we observed and indeed have become everyday features of public order policing across the UK and the rest of Europe. In this respect the use of force, arrests and the interference of rights were therefore all equally available should commanders have seen them as proportionate. In this sense we are self evidently in an historical period of 'strategic incapacitation' in the technical sense.

¹⁹ Defined here as those involving non-violent direct action protests that had

Our argument is, however, that it is not merely a question of broad iterative sociological trends in protest tactics and policing across decades, countries or events. The variability between negotiated management, escalated force and strategic incapacitation can equally occur across minutes within a single event. It is our assertion that in the UK, the police invariably start their planning from a position of negotiated management – not least of all because they are legally obliged to do so. But policing operations are dynamic and liaison based approaches do not rule out a shift toward escalated force or strategic incapacitation if police perceive the levels of threat, potential for criminality and disruption warrant this. What our research suggests is that such shifts are less likely when liaison officers are deployed, precisely because their engagement with protestors, ability to manage crowd dynamics and awareness of the nature of the situation enables the police to *remain* at the level of negotiated management (Gorringe et al, 2012). In this sense whilst it is of course relevant to address these broad sociological transitions and to ask to what extent we are experiencing a shift toward a ‘securitized society’ it is equally important – and perhaps more effective – to focus analysis on the tactics and iterative processes occurring *within* crowd events in order to understand how to empower and enhance democratic policing styles. It is our contention that this research on human rights focused tactics of liaison based public order policing is an important means to that end (Stott & Gorringe, 2012).

not been sanctioned or ‘permitted’ under the Public Order Act (1986)

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